



Town of Moultonborough Planning Board

Notice of Decision

Subdivision Permit

The Daniel W. Watson Trust/Tax Map 247, Lot 22

September 22, 2010

Applicant: The Daniel W. Watson Trust
23 Davis Lane
Moultonborough, NH 03254
Location: 23 Davis Lane/(Tax Map 247, Lot 22)

On July 28, 2010 the Planning Board of the Town of Moultonborough opened a public hearing on the application of the Daniel W. Watson Trust (hereinafter referred to as the “Applicant” and/or “Owner”) to allow subdivision of the existing 12 acre parcel into two (2) parcels with one (1) new building lot of 2.45 acres and the residual lot of 7.12 acres in the Residential Agricultural (RA) Zoning District.

The public hearing was continued to September 22, 2010. The Public Hearing was closed on September 22, 2010. At the regularly scheduled Planning Board meeting on September 22, 2010 the Board voted by a vote of seven (7) in favor (Coppinger, King, Ryerson, Jensen, Charest, Fairchild, Maroun), none (0) opposed, to **GRANT** their request for a Subdivision Permit subject to the following conditions:

1. Conformance with Plan

Work shall conform with the plans entitled, “Subdivision Plan of Lands of the Daniel W. Watson Trust & the Eda Ann Watson Trust, 23 Davis Lane (Tax Map 247 Lot 22”, prepared by David M. Dolan Associates, P.C., 87 Whittier Highway, Moultonborough, NH 03254, dated June 23, 2010 and to be revised as indicated in this Decision.

2. Amendments

Any modification to the original approved plans created by David M. Dolan Associates, P.C., 87 Whittier Highway, Moultonborough, NH 03254, dated June 23, 2010 and to be revised as indicated in this decision, and any modification of any condition of this approval, together with previous approvals unless otherwise specified in this decision, must receive the prior approval of the Planning Board, unless deemed insignificant by the Town Planner. In such case the applicant shall submit to the Planner the requested changes who shall seek Board approval of the changes. The applicant will not proceed unless the Planner first provides written approval of the requested insignificant changes.

3. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved plan, subject to conditions of this approval, which shall be recorded at the Carroll County Registry of Deeds. The conditions of approval of this subdivision review shall be placed on the final plans, or this decision shall be recorded with the plans, at the Carroll County Registry of Deeds, in accordance with RSA 676:3 (III), within ninety (90) days of signing of the plans by the Planning Board Chair and prior to any construction commencing.

4. Wellhead Radius to be Added to Revised Plan

The applicant shall submit a revised plat indicating the location of the required wellhead radius on the parent parcel, prior to endorsement of the plat.

5. Subdivision Regulations

All construction shall be in accordance with the requirements of the Subdivision Regulations and any other applicable rules and regulations as affected by this decision.

6. Transfer of Ownership

Within five (5) days of transfer of ownership of the site, the Applicant, their successors or assigns, shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions and/or requirements of this decision shall be binding on the new owner and its successors and/or assigns.

7. Progress Reports

Upon the request of the Planning Board, the owner shall submit reports of the progress of the site's completion within five (5) business days.

8. Construction Practices

All construction shall be carried out in accordance with Town of Moultonborough ordinances and the Subdivision Regulations, as well as all other pertinent rules and regulations. Additionally, all staging of materials and equipment shall be on-site, and no equipment or materials not directly used in the construction of the site shall be located on site.

9. Construction Requirements

- a. All construction will occur on site; no construction will occur or be staged within Town rights of way.
- b. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the Owner prior to the issuance of a Certificate of Occupancy for the site.
- c. All construction shall occur between the hours of 6:00 am and 9:00 pm as required by the Town of Moultonborough Unnecessary Noise Ordinance (Section 10.2(6)).
- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

10. Fire Department

All work shall comply with the requirements of the Moultonborough Fire Department as affected by this decision.

11. Office of the Building Inspector

All work shall comply with the requirements of the office of the Moultonborough Building Inspector as affected by this decision.

12. Utilities

Any utility installation shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of a Building Permit.

13. Lighting

All lighting shall be in conformance with the Town of Moultonborough Zoning Ordinance and Subdivision Regulations.

14. E-911 Numbering

The lots shall conform with the Town of Moultonborough Building Numbering System Ordinance (Section 20), prior to the issuance of Certificates of Occupancy for the lots.

15. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and part of this Notice of Decision.

16. Right to Amend Decision

The Planning Board reserves the right to modify or amend this approval on application of the owner, lessee, or mortgagee of the premises, or upon its own motion, as permitted by the Town of Moultonborough Subdivision Regulations, Section 4.14, and RSA 676:4.

17. Violations

Violations of any condition of this decision shall result in placement of a Stop-Work Order or a Cease and Desist Order, as appropriate, on the property by the Building Inspector and/or the Planning Board, unless the violation of such condition is cured within fourteen (14) days, or waived by a majority vote of the Planning Board. Outstanding violations of the approved plans or conditions of approval may result in the revocation of this approval by the Planning Board.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.

Joanne Coppinger
Chairman, Planning Board

Date _____